

Applicant: Qun Wei et al.

Serial No. 09/763,720

Remarks/Arguments

Claims 9-18 are pending in this application. Claims 9-13, 15 and 18 have been canceled. Claim 14 has been amended. Claims 14, 16 and 17 are presented for consideration.

Specification

The specification (page 6, lines 18-21, page 7, lines 21 and 22, and page 8, line 26) is objected to by the Examiner for improper disclosure of amino acid and nucleotide sequences without a respective sequence identifier. The specification has been amended to identify SEQ ID NOs: 1 (page 6), 2 (page 7) and 3 (page 7) respectively. The examiner also requested identification of an apparent sequence found at page 8; line 26. This however, is simply a list of the 10 different N-terminal amino acids found in CaN B. It is not a sequence as understood in 37 CFR 1.821-1.825.

The specification is now compliant with sequence disclosure requirements and respectfully requests withdrawal of this objection.

Claim Rejections Under 35 U.S.C. Section 102(b)

Claims 9-13 are rejected under 35 U.S.C. §102(b) as being anticipated by Aitken et al. (Eur. J. Biochem. 1984, 139; 663-671). Claims 9-13 have been canceled, therefore this rejection is moot.

Claim Rejections Under 35 U.S.C. Section 112

Claims 9, 11-14 and 16-17 are rejected under 35 U.S.C. §112, first paragraph. The examiner contends that the specification does not enable the scope of the subject matter claimed in claims 9, 11-14 and 16-17. The examiner did indicate, however that the specification was enabling for treating cancer with an effective dose of SEQ ID NO: 1 as claimed in dependent claim 15. Accordingly, independent claim 14 has been amended to incorporate previously presented claim 15 which is now canceled.

In view of the amendments discussed above, the applicant respectfully requests withdrawal of the rejections under 35 USC 112, first paragraph.

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Conclusion

Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned at the telephone number appearing below should he have any questions regarding the prosecution of this application.

Respectfully submitted,



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